

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

JUDGMENT IN A CIVIL CASE

| | | |
|----------------------------|---|------------------|
| Transcontinental Insurance |) | |
| Company, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | 06-0005-CV-W-HFS |
| |) | |
| |) | |
| Great American Assurance |) | |
| Company, et al., |) | |
| |) | |
| Defendants. |) | |

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X Decision by Court. This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that the Higgins' motion to dismiss is GRANTED. Transcontinental's declaratory judgment complaint and Great American's cross-claim and counterclaim for declaratory judgment are hereby DISMISSED. It is further ORDERED that Transcontinental's motion to dismiss its declaratory judgment complaint is GRANTED. It is further ORDERED that Transcontinental's motion for leave to file a first amended complaint is DENIED as moot. It is further ORDERED that Snethen's motion to dismiss is DENIED as moot. It is further ORDERED that Great American's motion for relief from Rule 26(d) is DENIED as moot. It is further ORDERED that Transcontinental's motion to dismiss Great American's counterclaim is DENIED as moot.

August 10, 2006

PATRICIA L. BRUNE
CLERK OF COURT

/s/ Tina Duer

by Tina Duer